REMARKS

Claims 1-31 are pending in the application. Claims 1, 7-9, 11, 12, 16-19, 22, 23, 25, and 28-31 have been amended. Claims 32 and 33 have been added. No claims have been canceled. No claims have been allowed.

Amendments to the Drawings

Applicants thank the Examiner for the informal telephone conference of September 20, 2004 regarding the addition of Figure 9. As discussed, Figure 9 was fully described in the specification as filed, and the addition of Figure 9 to the drawings adds no new matter.

Objections to the Disclosure

The disclosure was objected to for a misspelling of the word "identification" in the title. Applicants have failed to find the indicated misspelling. "Identification" is spelled correctly in Applicants' copy of the application as filed, as well as the corrected filing receipt and the U.S. publication US 2002/0157043 A1. Applicants note that the original filing receipt misspelled the word "Identification" and correction was requested and granted.

If the Examiner would please point out where the title is misspelled, Applicants will request the correction.

Rejections under 35 U.S.C. § 102

Claims 1-6, 8-15, 17-20, 22-27, and 29-30, were rejected as being anticipated by Donnelly et al., U.S. Patent 6,049,776, hereinafter "Donnelly". Donnelly teaches a human resources management system (RMS) including a server and an RMS database that stores information on employees, employee skills, schedules, and projects. Calendar functionality is included for maintaining the scheduled activities of the employees. (Abstract). A user can search for employees with certain skills and availabilities for assignment to projects. Project time requirements, skill requirements and proficiency levels can be included in the search. An assignment functionality assigns identified

employees to projects and updates a system calendar to reflect the assignments. (Abstract).

Donnelly thus discloses a set of databases and a system to access them. Donnelly does not disclose a resource scheduling system. According to Donnelly, a user can search for and review information in the database, such as information about employees and their skill sets and availabilities. The user can then select an employee and attempt to manually schedule the employee for an activity. If there is a conflict, for example a time conflict in which the selected employee is already scheduled for an activity at the required time, the user must a) override ("the original calendar entry is deleted (inactivated) and the new entry is added"), or b) leave the schedule unchanged ("the original calendar entry is retained and a new calendar entry for the conflict date is not added"). (column 18, lines 30-52). A conflict may not remain unresolved. The user must manually resolve any errors in order to continue. Thus, Donnelly teaches modal error identification. Donnelly does not teach real-time error identification as described herein, which includes conveying unobtrusively to a user an indication that a resource conflict exists, concurrently with the resource scheduling process, and allowing the user the ability to choose a) to divert from a current process to resolve the error, or b) to complete the current process without diverting from this process and without resolving the error. Nor does Donnelly teach a "scheduling" process as commonly understood in the art to include, for example, automatic complex schedule generation software. Rather, Donnelly teaches a database system that allows a user to manually schedule one employee at a time by giving the user access to information about each employee and noticing when a proposed manual assignment conflicts with the current information. Donnelly then requires correction of the conflict or withdrawal of the assignment.

Donnelly further lacks any teaching or suggestion regarding rule based conflicts. For example, with reference to Figure 6, Applicants disclose that predetermined rules may be violated by, for example, giving an employee an invalid start time, violating a maximum hours/day allotment for an employee, or giving an employee a schedule that does not match the employee's work patterns for the week.

Claim 1 includes analyzing resource scheduling data including real-time detection of resource conflicts, wherein resource conflicts include rule based conflicts and calendar based conflicts. Claim 1 further includes providing the user an option to allow the scheduling process to continue without resolving the conflict. Applicants respectfully submit that Donnelly does not teach either limitation. Therefore, claim 1 is allowable over Donnelly.

Applicants respectfully assert that dependent claims 2-7 include further limitations on allowable claim 1 and are therefore allowable for the same reasons.

Claim 8 recites a system including a memory device coupled to a processor, the memory device storing the instructions comprising a resource scheduling process, wherein the resource scheduling process includes, analyzing agent data, analyzing scheduling criteria, and detecting resource conflicts; and an error identification process, wherein the error identification process is concurrent with the resource scheduling process, and wherein descriptions of identified resource conflicts and potential resolutions of the identified resource conflicts are conveyed to the user concurrent with the resource scheduling process, and wherein the resource scheduling process is configured such that completion of the scheduling process is independent of resolution of any conflicts.

Applicants respectfully submit that claim 8 is not anticipated by Donnelly. The manual schedule modification that is described at column 18, lines 30-52 of Donnelly illustrates that Donnelly does not teach or suggest a resource scheduling process as claimed. Donnelly therefore does not teach an error identification process concurrent with the resource scheduling process as described. In Donnelly, when an error is detected, such as a time conflict between an employee's current calendar and the attempted change to the calendar, the user must delete the current entry and replace it, or decide not to make the change. In other words, the conflict must be manually resolved. There is no disclosure regarding completing a scheduling process independent of resolution of any conflicts as claimed.

Applicants respectfully assert that dependent claims 9-11 include further limitations on allowable claim 8 and are therefore allowable for the same reasons.

Claim 12 recites conveying unobtrusively to a user an indication that a resource conflict exists concurrently with the resource scheduling process. Claim 13 further recites presenting to the user, upon selecting the indication, a description of the resource conflict and a potential solution to resolve the conflict, wherein the user may elect to complete the resource scheduling process without resolving any conflicts. Applicants submit that as previously discussed, column 18, lines 30-52 of Donnelly fail to disclose at least allowing the user to elect to complete the resource scheduling process without resolving any conflicts. Therefore claim 12 is allowable over Donnelly.

Applicants respectfully assert that dependent claims 13-16 include further limitations on allowable claim 12 and are therefore allowable for the same reasons.

Claim 17 recites a system including at least one server comprising at least one storage device storing executable instructions, wherein the instruction, when executed, cause a client processor to, analyze agent data and scheduling criteria to detect a resource conflict, concurrently convey an identification of the resource conflict, present, upon selection, a description of the resource conflict, present a potential solution to resolve the resource conflict; and generate a resource schedule in the presence of unresolved conflicts.

Donnelly fails to teach at least the generation of a resource schedule in the presence of unresolved conflicts. Applicants respectfully submit that Donnelly does not teach the generation of a schedule at all, but instead is limited to a method for changing individual records in a database. For these reasons, Applicants submit that claim 17 is not anticipated by Donnelly.

Applicants respectfully assert that dependent claims 18-21 include further limitations on allowable claim 17 and are therefore allowable for the same reasons.

Claim 22 recites a method for providing real-time identification of resource scheduling conflicts in a resource scheduling process. Applicants submit that Donnelly does not teach or suggest such a method, at least because Donnelly does not disclose a resource scheduling system.

Donnelly further fails to disclose a method in which suppression of a resource conflict allows the resource scheduling process to complete with an unresolved conflict.

Donnelly further fails to disclose or suggest presenting to the user a description of the resource conflict and a potential solution to resolve the resource conflict, wherein the potential solution includes a hyperlink to a relevant portion of the resource scheduling process allowing the resource scheduling conflict to be resolved. The Office Action cites the override button of column 18, lines 39-46 and Figure 28 as inherently disclosing a hyperlink. Applicants respectfully disagree. Donnelly teaches screens that are modal in that they come up to allow user to choose to override or backtrack from an action just taken. The screen is a visual representation only at the time that data is entered, and only allows a user to decide whether to accept or reject the new schedule and old schedule data. In this particular case the override button causes a command to be performed, specifically the override button "inactivates the calendar entry and the entry is deleted from the list box. The calendar entry will no longer appear on the employee's calendar." (column 22, lines 13-17). The override button is thus not a hyperlink, which is defined as:

> A connection between an element in a hypertext document, such as a word, phrase, symbol or image, and a different element in the document, another hypertext document, a file, or a script. The user activates the link by clicking on the linked element, which is usually underlined in a color different form the rest of the document to indicate that the element is linked. Hyperlinks are indicated in a hypertext document through tags in markup language such as SGML and HTML. These tags are generally not visible to the user.
> (Computer Dictionary, Microsoft Press, Third Edition, 1997)

Because Donnelly fails to disclose at least one limitation of claim 22, Applicants respectfully assert that claim 22 is not anticipated by Donnelly.

Claim 23 recites presenting to the user a description of the resource conflict and a potential resolution of the resource conflict, wherein the potential solution includes a hyperlink to a relevant portion of the resource scheduling process allowing the resource scheduling conflict to be resolved. Donnelly lacks the claimed limitation as discussed above with reference to claim 22. Therefore, Applicants respectfully submit that claim 23 is similarly allowable over Donnelly.

Applicants respectfully assert that dependent claims 24-31 include further limitations on allowable claim 23 and are therefore allowable for the same reasons.

New claim 32 is an independent claim that recites a method for generating a resource schedule including concurrent error identification. The method comprises receiving scheduling data in a resource scheduling process, including receiving data input by a user, determining whether a conflict exists on the basis of the received data, including determining whether a conflict is a resource specific conflict, determining whether a resource specific conflict is rule based or calendar based, presenting the user with the option to view additional information about a conflict, and presenting the user with the option to suppress a conflict, wherein suppressing a conflict comprises saving information related to the conflict and generating the resource schedule with the conflict unresolved.

Applicants respectfully submit that Donnelly lacks multiple limitations of claim 32, including determining whether a resource specific conflict is rule based or calendar based. Therefore, Applicants submit that claim 32 is allowable over Donnelly.

Claim 33 includes the limitations of claim 32 and an additional limitation of presenting the user with a hyperlink to a location in a resource scheduling process at which a determined conflict may be resolved by the user. Applicants submit that claim 33 is not anticipated by Donnelly for the same reasons given with reference to claim 32.

Rejections under 35 U.S.C. § 103

Claims 7, 11, 16, 21, 22, 28, and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Donnelly in view of Rassman, U.S. Patent 4,937,743 (hereinafter "Rassman").

With reference to claims 7, 11, 16, 21, and 28, Rassman was cited for teaching colors as an indication of a resource conflict. Rassman teaches using graphics to show that two scheduling resources are incompatible. Rassman discloses a description of a schedule, rather than of data that is going to be used to do scheduling, as claimed and described by the Applicants. Rassman does not disclose showing indicators in the background, concurrently with a scheduling process as claimed. For this reason alone, Applicants submit that the claims would not have been obvious to one of ordinary skill in that art in view of Donnell and Rassman.

In addition, however, Rassman does not supply the deficiencies of Donnelly so as to achieve a method as claimed in claim 1, a system as in claim 8, a medium as in claim 12, a system as in claim 17, a method as in claim 23, or a method as in claim 32. For example, Rassman supplies no teaching regarding both rule based and calendar based conflicts as in claim 1.

Rassman supplies no teaching regarding an error identification process, wherein the error identification process is concurrent with the resources scheduling process, and wherein descriptions of identified resource conflicts and potential resolutions of the identified resource conflicts are conveyed to the user concurrent with the resource scheduling process, and wherein the resource scheduling process is configured such that completion of the scheduling process is independent of resolution of any conflicts, as in claim 8.

Rassman supplies no teaching regarding presenting to a user, upon selecting a conflict indication, a description of the resource conflict and a potential solution to resolve the conflict, wherein the user may elect to complete the resource scheduling process without resolving any conflicts, as in claim 12.

Rassman supplies no teaching regarding presenting, upon selection, a description of the resource conflict, presenting a potential solution to resolve the resource conflict; and generating a resource schedule in the presence of unresolved conflicts, as in claim 17.

Rassman supplies no teaching regarding presenting to the user a description of the resource conflict and a potential solution to resolve the resource conflict, wherein the potential solution includes a hyperlink to a relevant portion of the resource scheduling process allowing the resource scheduling conflict to be resolved, as in claims 22 and 23.

Rassman supplies no teaching regarding determining whether a resource specific conflict is rule based or calendar based, as in claim 32.

Because the suggested combination does not yield a method or apparatus as claimed in the independent claims, Applicants respectfully submit that the combination does not yield the invention as claimed in dependent claims, which have additional limitations.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-33 are in condition for allowance. The allowance of the claims is earnestly requested. The Examiner is invited to call the undersigned if there are any issues that remain to be resolved prior to allowance of the claims.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 501914 for any underpayments in connection with this Office Action response.

Respectfully submitted,
Shemwell Gregory & Courtney LLP

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